

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA
INDIANAPOLIS DIVISION

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SOUTHERN DISTRICT
OF INDIANA
LAURA A. BRIGGS
CLERK

ISAAC IMEL,

Plaintiff,

v.

CHARLES A. BEARD MEMORIAL,
SCHOOL CORPORATION

Defendant.

CASE NO.

1: 06-cv- 1669-SEB-VSS

NOTICE OF REMOVAL

COMES NOW the Defendant, Charles A. Beard Memorial School Corporation, by counsel, in the above-referenced cause of action, and files the Notice of Removal of this cause from the Henry County Circuit Court in which it is now pending, to the District Court for the United States, in the Indianapolis Division for the Southern District of Indiana. In support of this Notice of Removal, the Defendant respectfully shows the Court the following:

1. On or about November 6, 2006, an action was commenced against Charles A. Beard Memorial School Corporation, in the Henry Circuit Court, State of Indiana, entitled *Isaac Imel, Plaintiff v. Charles A. Beard Memorial School Corporation, Defendant*. A copy of the Plaintiff's Summons and Complaint, setting forth the claim for relief upon which the action is based, was first received by the Defendant or its registered agent on November 8, 2006, which was the first receipt by this Defendant through service or otherwise of a copy of the pleading, setting forth a claim for relief upon which the action is based.

2. The above-described action is one in which this Court has original jurisdiction under the

provisions of 28 U.S.C. §1331, and is one that may be removed to this Court by the Defendant, pursuant to the provisions of 28 U.S.C. §1441.

3. In his Complaint, the Plaintiff alleges that Defendant violated 42 U.S.C. §1983 by suspending and expelling the Plaintiff from school.

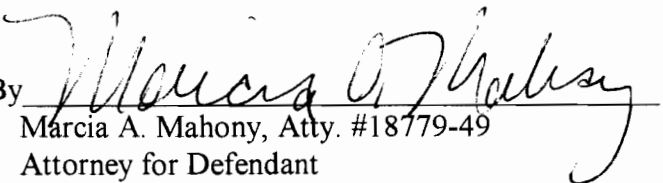
4. The only process, pleadings or orders known by the Defendant to have been filed in the Henry County Circuit Court are the Summons, Verified Complaint for Injunctive and Declaratory Relief and Damages (with attachments), the Appearance of Jacquelyn Bowie Suess, Appearance of D. Michael Wallman, Answer to Verified Complaint, Plaintiff's Memorandum of Law in Support of Motion for Preliminary Injunction, Memorandum in Opposition to Motion for Preliminary Injunction and Order Setting Hearing on Motion for Preliminary Injunction, copies of which are attached hereto as Exhibit "A".

5. A copy of the Defendant's Notice to Plaintiff and Clerk of the Henry County Circuit Court of the Defendant's Application to Remove Cause to Federal Court is attached hereto as Exhibit "B".

WHEREFORE, the Defendant, Charles A. Beard Memorial School Corporation, files this Notice of Removal of this cause from the Henry County Circuit Court to the District Court for the United States, Indianapolis Division of the Southern District of Indiana.

Respectfully submitted,

KIGHTLINGER & GRAY, LLP

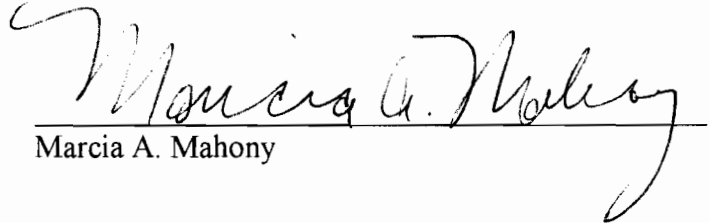
By 
Marcia A. Mahony, Atty. #18779-49
Attorney for Defendant

CERTIFICATE OF SERVICE

I do hereby certify that a copy of the foregoing has been served upon the following counsel,
by United States First Class Mail, postage prepaid, this 14th day of November, 2006.

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D. Michael Wallman
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